

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STEPHANIE DIPIERRO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
HUGH J. HURWITZ, in his official	)	C.A. No. 1:19-cv-10495
capacity as Acting Director of the	)	
Federal Bureau of Prisons, and	)	
DR. DEBORAH G. SCHULT, in her	)	
official capacity as Assistant Director	)	
of the Health Services Division of the	)	
Federal Bureau of Prisons,	)	
	)	
Defendants.	)	

**JOINT STATUS REPORT**

On March 15, 2019, plaintiff Stephanie DiPierro initiated this action against defendant Acting Director of the Federal Bureau of Prisons (“the Bureau”), Hugh J. Hurwitz, and defendant Assistant Director of the Health Services Division of the Bureau, Dr. Deborah G. Schult. ECF No. 1. She alleged violations of the Eighth Amendment, the Rehabilitation Act, and the Administrative Procedures Act, and sought declaratory and injunctive relief to require Defendants to provide her with access to her physician-prescribed methadone treatment for her opioid use disorder throughout her pending incarceration at a Bureau facility. *Id.* at 3-4, 23. That same day, she also filed a motion for a temporary restraining order and a preliminary injunction. ECF No. 17. At the time, Ms. DiPierro’s date to report to a Bureau facility for her 366-day sentence was April 8, 2019. ECF No. 1 at 3.

On March 20, 2019, the government moved to postpone Ms. DiPierro's report date to June 8, 2019. *United States v. DiPierro*, 1:17-cr-10339, ECF No. 40. In that motion, the government explained that the Bureau "is attempting to identify a facility that can accommodate [Ms. DiPierro's] addiction to opioids" and that "additional time is requested to be able to fashion a resolution." *Id.* at 2. The next day, the Court granted the government's motion to postpone. *United States v. DiPierro*, 1:17-cr-10339, ECF No. 41.<sup>1</sup>

On April 3, 2019, the parties to this action filed a joint status report in the civil matter. ECF No. 35. In that filing, the Bureau represented to the Court that it will provide Ms. DiPierro with access to her physician-prescribed methadone dose throughout the duration of her incarceration, but that it needed time to determine where Ms. DiPierro will be incarcerated and receive this treatment. *Id.* The parties agreed to submit a joint status report by today, May 15, 2019. *Id.*

The Bureau now represents to this Court that Ms. DiPierro will be incarcerated at the Federal Medical Center at Carswell in Texas, where she will receive her physician-prescribed methadone dose throughout the duration of her incarceration. The parties are continuing to have productive conversations regarding a final resolution of this matter, and intend to provide a filing memorializing this agreement and proposing disposal of this action to the Court by June 3, 2019.

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<sup>1</sup> The Bureau of Prisons later advised that June 8 was not a suitable date for self-surrender because it is a Saturday. *United States v. DiPierro*, 1:17-cr-10339, ECF No. 42. The government filed an assented-to motion to extend Ms. DiPierro's report date to June 11, 2019, which the Court granted. *United States v. DiPierro*, 1:17-cr-10339, ECF No. 42, 43.

Dated: May 15, 2019

ANDREW E. LELLING,  
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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 15, 2019.

/s/ Robert Frederickson III